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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/905,580	07/12/2001	Shell Sterling Simpson	10007646-1	4266

7590 05/20/2005

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EXAMINER	
LESNIEWSKI, VICTOR D	
ART UNIT	PAPER NUMBER
2155	

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)
	09/905,580	SIMPSON ET AL.
	Examiner Victor Lesniewski	Art Unit 2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 02 February 2005.
- 2a) This action is **FINAL**. 2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) Claim(s) _____ is/are allowed.
- 6) Claim(s) 1-38 is/are rejected.
- 7) Claim(s) _____ is/are objected to.
- 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. The amendment filed 2/2/2005 has been placed of record in the file.
2. Claims 16 and 17 have been amended.
3. The objections to the claims are withdrawn in view of the amendment.
4. Claims 1-38 are now pending.
5. The applicant's arguments with respect to claims 1-38 have been fully considered but they are not persuasive. A detailed discussion is set forth below.

Response to Amendment

6. Claims 16 and 17 have been amended to properly identify the claims as dependent on claim 15. The amendment does not prove a change in scope to the limitations of claims 16 and 17.

Response to Arguments

7. Claims 1-38 remain rejected under 35 U.S.C. 103(a) as being unpatentable over Adolfsson (U.S. Patent Number 6,092,078) in view of Zothner (U.S. Patent Number 6,751,657).

8. In the remarks, the applicant has argued:

- <Argument 1>

The combination of Adolfsson and Zothner does not disclose the features of claim 1 because it does not disclose "providing the user with an interface for the production device, the interface having user accessible controls for only those options for which the user has permission to access" as recited in claim 1.

- <Argument 2>

The combination of Adolfsson and Zothner does not disclose the features of claim 2 because it does not disclose “intercepting an access request” as recited in claim 2.

- <Argument 3>

The combination of Adolfsson and Zothner does not disclose the features of claim 3 because it does not disclose “redirecting the access request” as recited in claim 3.

- <Argument 4>

The combination of Adolfsson and Zothner does not disclose the features of claim 4 because it does not disclose “generating an interface according to the accessed data providing user accessible controls for only those options for which the user has permission to access” as recited in claim 4.

- <Argument 5>

The combination of Adolfsson and Zothner does not disclose the features of claim 7 because it does not disclose “modifying the interface to allow the user access to the controls for only the production options for which the user has permission to access” as recited in claim 7.

- <Argument 6>

The combination of Adolfsson and Zothner does not disclose the features of claim 13 because it does not disclose “accessing a record established for the user” and “generating a web page for the production device according to the user’s record” as recited in claim 13.

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9. In response to argument 1, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 1. The applicant, referring to the citation of Zothner, column 9, line 64 through column 10, line 8 and column 19, lines 15-31, states that “The Examiner contends that these sections teach the provision of an interface for a production device, where the interface includes user accessible controls for only those options for which the user has permission to access.” Here the applicant has mischaracterized the rejection. The rejection is based on the combination of Adolfsson and Zothner where Adolfsson does not disclose user access permissions for different options in the interface. Adolfsson does teach “providing the user with an interface for the production device” where the interface has “user accessible controls.” The previous line citation to Adolfsson, column 6, lines 6-9, states the use of a graphical user interface which is seen as a user interface with user accessible controls.

10. Regarding the line citations to Zothner, the purpose is to show that Zothner discloses user access permissions so that a user may have access to certain options in a network system and not have access to other options according to the permissions. The line citation column 9, line 64 through column 10, line 8 clearly shows user access permissions through the description of user profiles and assigned roles while the line citation column 19, lines 15-31 builds on this description by showing restrictions to users in the network based on their roles. The “notifications” in Zothner’s disclosure are not meant to be aligned with the claimed “user accessible controls.” The combination has been made to show that access permissions (by Zothner) can be used with user accessible controls (by Adolfsson).

11. Concerning argument 1 and several of the other arguments, it appears as though the applicant may be arguing against the references individually and focusing on how each reference

reflects the claim limitations instead of the combination of references. The applicant is reminded that one cannot show nonobviousness by attacking references individually where the rejections are based on combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In re Merck & Co.*, 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

12. In support of argument 1 the applicant also states there is no motivation to combine Adolfsson and Zothner. The examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it is maintained that there is sufficient motivation to combine in the need to manage networks so that they have increased availability and reliability. Zothner teaches a system that can aid in this need and can function in the same environment as Adolfsson's system. Discussion of this motivation was made in the previous office action with related line citations, but the applicant has not addressed why he feels the combination lacks motivation in light of these statements.

13. In response to argument 2, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 2. The previously cited lines refer to the NEIOD 3106 in Adolfsson's disclosure which is a network server that sits on the network between production devices and the client's communications application or applet. It is clear that a request from a user is intercepted at this server before reaching the production device. See Adolfsson, figures 1 and 2 and related discussion.

14. In response to argument 3, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 3. Similar to argument 2, the previously cited lines refer to the NEIOD 3106. Since this server takes in a plurality of requests from clients and also controls a plurality of production devices, it is clear that it must redirect access requests to the appropriate device in order to retrieve the appropriate data from a specific one of a plurality of production devices. Again see Adolfsson, figures 1 and 2 and related discussion in Adolfsson's disclosure.

15. In response to argument 4, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 4. The previously cited lines refer to the web page 3112 running on the client in Adolfsson's system. This page displays options dependent on a specific production device or data providing means 3102 and provides control means or user accessible controls in order for the user to control the device, as stated in the previous line citation. The interface that Adolfsson's system provides for a specific device can clearly be considered "an interface according to accessed data" while the control means can clearly be considered "user accessible controls." The line citations to Zothner relate to the limitations dealing with access permissions as discussed above.

16. In response to argument 5, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 7. Here it appears as though the applicant is arguing Zothner alone and not in combination with Adolfsson. See paragraph 11 of this action. As discussed above the combination of Adolfsson and Zothner discloses an interface with user accessible controls (Adolfsson) that operate under access permission (Zothner). Regarding claim 7, Adolfsson discloses modifying the interface. The previously cited lines (especially Adolfsson, column 5, lines 35-49) refer to generating an interface for selecting production options for a specific device.

Here the interface is clearly modified to allow for specific selections for a specific device of the plurality of devices 3204-3210. "The configuration web page 3222 provides a new set of selection means 3232 for specifying one or more parameters." This configuration web page does not represent the final controlling web page 3228, but a step in which to modify the final page.

17. In response to argument 6, the combination of Adolfsson and Zothner does disclose the limitations as recited in claim 13. Again it appears as though the applicant is arguing Zothner alone and not in combination with Adolfsson. See paragraph 11 of this action. Zothner does disclose accessing a record. This record is analogous to the user profile in the previously cited lines column 9, line 64 through column 10, line 8. The user profiles are assigned roles that control access permissions. Taken together with the system of Adolfsson, as discussed above, these access permissions can be applied to the production options and user accessible controls offered by Adolfsson's system.

18. Regarding the disclosure of a web page, Adolfsson clearly shows the use of page 3112 presented by a browser on the client in the previously cited lines column 3, lines 25-32. This page is linked to specific control options or user accessible controls, as is the basis for Adolfsson's system, so it can be seen that the web page is generated according to specific controls for a specific device. Furthermore, the combination of Adolfsson and Zothner links the user accessible controls (Adolfsson) to user access permissions (Zothner), which access permissions are controlled by a user profile or record. Thus it can be seen that the web page can be generated according to a user's record based on the combination of Adolfsson and Zothner.

19. In addition, the applicant has argued that other claims rejected under 35 U.S.C. 103 are allowable based on the above arguments. Thus claims disclosing similar limitations to the

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discussed claims and related dependent claims remain rejected under the same reasoning as presented above.

Conclusion

20. **THIS ACTION IS MADE FINAL.** The applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

21. A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Victor Lesniewski whose telephone number is 571-272-3987. The examiner can normally be reached on Monday through Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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